

HERITAGE COUNCIL OF NSW Approvals Committee

MINUTES OF MEETING

6 April 2011

Heritage Branch,
3 Marist Place, Parramatta



PRESENT: Peter Mould (Chair), Julie Bindon, Diane Jones, David Logan, Colin Rockliff, Petula Samios (Heritage Branch), Giovanni Cirillo (Department of Planning)

APOLOGIES: Nil

ALSO PRESENT: Rajeev Maini (Acting Manager, Conservation Team)
Graham Williams (Heritage Branch - Minutes)
Alejandra Rojas (Heritage Branch – Item 5.1)

1. Opening – Welcome

The Chair opened the meeting at 12:45pm.

1.2 Confirmation and Timing of Agenda

The agenda was confirmed.

Declarations of Interest

Ms Julie Bindon declared an interest in item 5.1 *Potts Hill Reservoir No.1*, however, the Chair and other Committee members considered that her link was tenuous and could not be perceived to be a conflict of interest.

Mr David Logan declared an interest in item 5.2 *Lawson House, Cumberland Street, The Rocks*, as another partner in his firm (Godden Mackay Logan) has provided advice to the Sydney Harbour Foreshore Authority on development options for the building. Mr Logan advised that he would leave the Committee meeting prior to the Committee's discussion of the proposal.

2. Confirmation of Minutes of Meeting of 2 February 2011

Members had each received a copy of the minutes of the last meeting of the Approvals Committee, held on 2 March 2011.

As a matter of General Business at the 2 March meeting the Committee reviewed protocols for proponents presentations made to the Approvals Committee. The Chair clarified that where exceptional circumstances may require the inclusion of

a pre-DA report in the Agenda the he would decide whether a presentation is appropriate.

It was also noted that the briefing of the Committee Chair of proposed agenda items, prior to the setting of the meeting agenda, had also been agreed rather than "raised" as noted in the minutes.

Resolved:

With the abovementioned amendments the Committee resolved that the Minutes of the meeting of 2 March 2011 be adopted.

The minutes of the 2 March 2011 have, subsequently, been amended in accordance with these clarifications.

3. Action Report

Members each received a copy of the action report detailing actions since the last meeting of the Approvals Committee.

Resolved:

That the Action Report, noting actions undertaken since the meeting of 2 March 2011, be adopted.

4. Presentations

4.1 Lawson House – 212-218 Cumberland Street, The Rocks – Revised IDA Application

A presentation was made by Ms Jocelyn Jackson of Tanner Architects, Mr Peter Romey of Godden Mackay Logan and Mr John Mitchell of Sydney Harbour Foreshore Authority in a relation to a revised proposal. Printed and bound copies of the presentation and supporting documents were also supplied by the applicant and these were distributed to the Committee members. The Approvals Committee considered the application subsequently as item 5.2 on the agenda.

5.0 Integrated Development Applications/Section 60 and 132 Applications/Section 140 Excavation permits

5.1 Potts Hill Reservoir – Options Paper – proposed partial infill of Reservoir No.1.

A Section 60 application was submitted for the proposed partial filling of Reservoir No.1 located within the Potts Hill Reservoir with surplus fill from the adjacent Western Residential Precinct redevelopment.

The Approvals Committee previously considered the application at its meeting of December 2010. At this meeting the Committee deferred its decision pending the submission of a revised paper on heritage benefits and impacts of the range of options for future use of the reservoir.

A revised options paper has now been submitted recommending a scheme which is reversible and would enable the stabilisation of the south and eastern walls of

the reservoir, whilst allowing for operational parts of the reservoir to remain accessible, as required, by Sydney Water.

The Approvals Committee resolved to accept the revised options paper as sufficient justification for the applicant's partial fill option and to approve the application subject to specified conditions. However, the Committee was concerned that information in relation to the stabilisation of the other walls in the reservoir not affected by the fill works had not been provided and resolved to include a condition to this effect.

The committee also resolved to include a condition in relation to interpretation taking on board comments made in the options paper. This condition would include a direct reference to the options paper section and the advice provided in that document.

RESOLVED

That the Heritage Council Approvals Committee:

A) Note that the revised options paper is sufficient justification for the preferred partial fill option.

B) Approve the application with the following conditions:

- 1) All work shall be carried out in accordance with the following documentation:**
 - a) Drawings prepared by Cardno, dated 29/10/2010 and numbered SK30 to SK38 29/10/2010 (Note: SK31 dated 28/09/2010)**
 - b) Statement of Heritage Impact Prepared by Tanner Architects dated September 2010**
 - c) CMP prepared by Sydney Water dated April 2005**
 - d) Revised Options paper prepared by Tanner Architects and dated February 2011**

EXCEPT AS AMENDED by the conditions of this consent.

- 2) No contaminated fill of any kind will be stored within Reservoir No.1.**

Nominated Heritage Consultant:

- 3) All heritage work shall be supervised by a qualified heritage consultant for the life of the approved works to ensure that the impact of the works on the heritage significance of the building is minimised and all work has been carried out in accordance with the approved documentation and the conditions of this consent.**
- 4) All work shall be carried out by suitably qualified tradesmen with practical experience in conservation and restoration of similar heritage items. The nominated heritage consultant in Condition 3 shall be consulted prior to the selection of appropriate tradesmen.**

Site Protection & Works:

- 5) Significant built elements are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed.**
- 6) The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics are discovered, work must**

cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

- 7) The Applicant must ensure that should any Aboriginal objects be uncovered, excavation or disturbance of the area is to stop immediately and the Environmental Regulation and Protection Group of the Department of Environment, Climate Change & Water is to be informed in accordance with section 91 of the 'National Parks and Wildlife Act, 1974'.

Archival Recording:

- 8) An archival photographic recording of the reservoir is undertaken prior to the commencement of works, in accordance with the Heritage Council document, *Photographic Recording of Heritage Items using Film or Digital Capture*. The original copy of the archival record shall be deposited with the Heritage Branch, an additional copy shall be provided to the Bankstown City Council.

Compliance:

- 9) This approval shall be void if the activity to which it refers is not physically commenced within five years after the date of the approval or within the period of consent specified in the relevant development consent granted under the Environmental Planning and Assessment Act, 1979, whichever occurs first.

Interpretation Strategy:

- 10) The applicant shall prepare and implement an Interpretation Strategy in accordance with section 5.7 of the report, prepared by Tanner Architects, entitled "Potts Hill Reservoir Site, Future Conservation and Management of Reservoir No.1" dated March 2011 to the satisfaction of the Director, Heritage Branch, Office of Environment and Heritage;

Further Information requested:

- 11) Sydney Water is requested to provide advice to the Heritage Branch, Office of Environment and Heritage, regarding the physical state of the walls of the reservoir.

5.2 Lawson House – 212-218 Cumberland Street, The Rocks – Revised IDA Application

As Mr David Logan had earlier declared an interest in this matter he left the meeting prior to the discussion of the proposal by the remaining Committee members.

The Committee initially considered an IDA Application for rooftop additions to Lawson House at its meeting of 2 February 2011. At that meeting the Approvals Committee resolved that the proposed development is likely to have adverse heritage impacts and could not be approved in its then submitted form. The Committee had agreed that the proposed addition should respond to the geometry of the heritage building and the surrounding development and be single-storey to comply with the existing height limit (RL 44.00) established by the former Sydney Cove Redevelopment Authority Scheme (SCRA).

The amended application and the presentation set forth the applicant's argument for the height of the two-storey addition and included a comparison with the greater height of several nearby buildings.

The amended proposal incorporates some amendments to the setbacks of the additional two floors at roof level. However, the two storey addition has not been reduced to a single storey as required by the Approvals Committee at its 2 February meeting.

It was noted that neither the Sydney City Council nor the Sydney Harbour Foreshore Authority had raised any objection to the proposed additions on heritage grounds. It was also noted that the Heritage Branch supports the amended proposal as an acceptable outcome.

Various issues relating to the curved roof form, setbacks, curved pergola at upper level and inaccuracies in the drawings were discussed. However, it was agreed that in view of the arguments presented and various considerations, the proposal could be approved in its amended form subject to conditions.

RESOLVED

That the Heritage Council Approvals Committee the following General Terms of Approval:

- 1. The development must be carried out in accordance with the following documents;**
 - a) Drawings AR.DA.01 B; AR.DA.02 B; AR.DA.03 B; AR.DA.04 B; AR.DA.10 B; AR.DA.11 B; AR.DA.12 B; AR.DA.17 D; AR.DA.18 D and amended drawings AR.DA.05 D; AR.DA.06 D, AR.DA.07 D, AR.DA.08 C, AR.DA.09 C AR.DA.15 D & AR.DA.16 C prepared by Tanner Architects**
 - b) Heritage Impact Statement dated October 2010 prepared by Tanner Architects;**
 - c) Statement of Environmental Effects dated October 2010 prepared by Tanner Architects;**

EXCEPT AS AMENDED by the following conditions;

- 2. The eastern wall of the ensuite to Bed 1 on level 04 be setback further so that it is not aligning with the corner of the original lift room (proposed TV Room). This will allow for a significant architectural element of the historic building to be seen as a prominent element on the Gloucester Street façade;**
- 3. The junction of this ensuite with the sloping roof of the former lift room must be resolved to retain legibility of this historic element to the satisfaction of the Director Heritage Branch;**
- 4. The outdoor terrace shown on the Roof Pavilion Level does not appear to have been resolved. This terrace is to be setback to be in line with the terrace attached to the dining room;**
- 5. It is noted that the submitted plans, elevations and aerial views do not match in the area around the former lift motor room. A final set of corrected drawings reflecting conditions 2, 3 & 4 must be submitted to the satisfaction of Director, Heritage Branch, Office of Environment and Heritage, with the section 60 application.**

6. **In view of the substantial nature of works, an interpretation plan must be prepared and implemented to the satisfaction of the Director, Heritage Branch prior to the issue of occupation certificate;**
7. **Archival recording, in accordance with Heritage Council guidelines, must be prepared and submitted to the satisfaction of the Director, Heritage Branch prior to the issue of occupation certificate;**
8. **All works must be supervised by a consultant experienced in the field of Heritage Conservation;**
9. **If significant archaeological finds are made during any excavation, detailed archaeological assessment such as an excavation methodology and research design, and modifications to the approved design may be required prior to the commencement of construction works; and**
10. **An application under section 60 of the NSW Heritage Act must be submitted and approved by the NSW Heritage Council prior to work commencing.**

6. Development Application Referrals and Major Project Application Referrals under Part 3A of EP&A Act

Nil

7.0 Matters for Consideration

7.1 Gleniffer Brae, Keiraville, Wollongong.

The Committee considered further information received since the Committee's initial introduction at its March 2011 meeting. University of Wollongong (UoW) is proposing to develop a portion of the Gleniffer Brae site for the construction of a new academic building, use of the Glenniffer Brae manor house and the erection of a glazed pavilion adjoining the house.

At the March 2011 meeting a sub-committee was formed to visit the site. A verbal report of the sub-committee was made to the Committee.

The sub-committee report noted that the present 1990s-era auditorium building, on the western side of the house, is an intrusive element in the setting of the house and garden. Concern was raised that the new pavilion building proposed to replace the auditorium on approximately the same site would also be intrusive in the setting.

A concern was also raised that future security fencing between the university land and rest of Botanic gardens may detract from the current open and historic character of the grounds and their relationship to the house. A letter, dated 4 April 2011, from the University of Wollongong, Director Buildings and Grounds Division to the Director, Heritage Branch was tabled at the meeting, with copies being supplied to members. This letter advised that no security fence is proposed to separate Gleniffer Brae from the Botanic Gardens lands

The letter also stated that a building of 10,000 square metres gross floor area is required for the new facilities and that further design development could occur.

The Committee agreed that the University's use of the manor house and a portion of the site for new buildings may be acceptable in principle. It did, however, consider that initial concept designs for the new buildings appear to be too high and massive in relation to the historic site's grounds and the manor house.

RESOLVED

That the Heritage Council advises Wollongong City Council and Wollongong University that a new university-related use for the site may be acceptable as it could provide a sustainable new use for the site subject to the following comments;

- 1. *Arts faculty Building***
 - a. A new Arts Faculty building in the south west of the site may be acceptable;**
 - b. However, the proposed building is considered to be too bulky and monolithic. The proposed building needs a reduction in height and further breaking-up. It is recommended that further options for siting and massing be considered to reduce its bulk;**
- 2. *Pavilion at the rear of the Manor House***
 - a. The existing building, west of the Manor House, is considered to be intrusive;**
 - b. It is desirable that the proposed single-storey pavilion be less intrusive;**
 - c. The new pavilion should be sited further south to expose more of the manor's western façade;**
 - d. The new pavilion should be redesigned to be more respectful of the circular garden and more sympathetic to the setting of the manor house;**
- 3. *Fencing and lighting***
 - a. Possible security fences and lighting on site have a potential to have significant adverse impacts on the site. However, the Committee notes the letter, dated 4 April 2011, from the University of Wollongong, Director Buildings and Grounds Division advising that no security fence is proposed to separate Gleniffer Brae from the Botanic Gardens lands;**
 - b. The Committee considers this to be an important part of the proposal to keep the overall impacts acceptable;**
- 4. *Heritage Agreement***

Consideration of a heritage agreement or similar mechanism to fund the site's continued conservation and maintenance should be investigated to ensure a nexus is created between the proposed new use and the significance of the site;
- 5. *Conservation management Plan***

An updated Conservation Management Plan must be submitted with the Integrated Development Application to allow the Heritage Council to assess heritage impacts in further detail; and

6. In-Principle advice only

This advice should be regarded as in-principle only. Any development application will need to be advertised in accordance with the Heritage Act and all submissions, and other information available at the time, will need to be given due consideration by the Heritage Council prior to any determination being made.

8.0 Matters for Information

Commonwealth Bank Building, 48-50 Martin Place, Sydney

At its meeting of 2 February 2011 the Committee considered an application by the Commonwealth Bank to install a number of glass-walled sales offices in the ground-floor banking chamber.

The Committee approved the application subject to the design of the glass screens being as frameless as possible without a top-rail and being reversible leaving no permanent damage.

Architects for the project have, however, argued that it was not possible to comply with the condition to remove the top rail without a more substantial anchorage to the original floor of the hall. This will require further non-reversible damage to original fabric of the floor.

The Committee considered that there may be new materials and fixing methods that should be explored. The Heritage Branch was requested to seek this information from individual members of the Committee and forward to the project architects. It was also the view of the Committee that if sales offices could not be designed to be less impactful, it would be preferable to delete the cubicles and explore other options for the space.

9.0 General Business -

There being no further business the Chair closed the meeting at 3:00pm.

Peter Mould Chair Approvals Committee Heritage Council of NSW	Next Meeting of the Approvals Committee 1st June 2011 3 Marist Place Parramatta
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